

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 4:22-cr-151
)	
PLAINTIFF,)	JUDGE SARA LIOI
)	
vs.)	
)	ORDER
DARIUS R. SMITH,)	
)	
)	
DEFENDANT.)	

This matter is before the Court upon Magistrate Judge Thomas M. Parker Report and Recommendation that the Court ACCEPT the plea of guilty of defendant Darius R. Smith and enter a finding of guilty against defendant. (Doc. No. 21.)

On March 31, 2022, the government filed an Indictment against defendant. (Doc. No. 1.) On July 5, 2022, this Court issued an order assigning this case to Magistrate Judge Parker for the purpose of receiving defendant's guilty plea. (Doc. No. 18.)

On July 19, 2022, a hearing was held in which defendant entered a plea of guilty to Count 1 of the Indictment, charging him with Felon in Possession of a Firearm and Ammunition, in violation of 18 U.S.C. Section 922(g)(1) and 924(a)(2). Magistrate Judge Parker received defendant's guilty plea and issued a Report and Recommendation ("R&R") recommending that this Court accept the plea and enter a finding of guilty. (Doc. No. 21.) Neither party objected to the Magistrate Judge's R&R in the fourteen days after it was issued.

Upon *de novo* review of the record, the Magistrate Judge's R&R is ADOPTED. Specifically, the Court finds as follows: that the defendant is competent to enter a plea, that he understands his constitutional rights, that he is aware of the consequences of entering a plea, and that there is an adequate factual basis for the plea. The Court further finds that the plea was entered knowingly, intelligently, and voluntarily. Accordingly, the defendant's plea of guilty is APPROVED.

Therefore, the defendant is adjudged guilty of Count 1. The sentencing will be held on November 1, 2022 at 12:00 p.m.

IT IS SO ORDERED.

Dated: October 31, 2022



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE